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9 Attorneys for Respondent

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 **DAVID MONTIEL CRUZ,**

Petitioner,

15 v.

16 **RICHARD SUBIO, Warden,**

Respondent.

C 07-4329 JSW (PR)

19 **APPLICATION FOR LEAVE TO FILE OVERSIZED MEMORANDUM OF POINTS**
20 **AND AUTHORITIES**
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**APPLICATION FOR LEAVE
TO FILE OVERSIZED
MEMORANDUM OF POINTS
AND AUTHORITIES**

19 Respondent respectfully requests that this Court grant leave to file a memorandum of
20 points and authorities in excess of 25 pages, pursuant to Civil L.R. 7-4(b). Respondent is filing the
21 memorandum of points and authorities in support of the answer to the petition for writ of habeas
22 corpus filed in this case.

23 As set forth in the accompanying Declaration of Counsel, counsel for respondent believes
24 in good faith that it is necessary to file the oversized points and authorities in order to fully and
25 adequately address the issues raised by petitioner, and that good cause for the request by respondent
26 is stated therein.

1 Wherefore, respondent respectfully requests that this Court grant leave to file a
2 memorandum of points and authorities in excess of 25 pages.

3 Dated: May 6, 2008

4 Respectfully submitted,

5 EDMUND G. BROWN JR.
6 Attorney General of the State of California

7 DANE R. GILLETTE
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13 /s/ Joan Killeen
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